

REMARKS:

I. Introduction

In an Office Action mailed on October 14, 2009, the Examiner rejected claims 1 to 4, 8, 10 to 13, 17, 21 to 24, and 26 and objected to claims 25, 27, 29, and 30. The present amendment cancels claims 25, 27, 29, amends claims 1, 10, 21, 28, and 30, and adds no new claims. Accordingly, claims 1 to 4, 8, 10 to 13, 17 and 21 to 24, 26, 28, and 30 are now pending in this application.

II. Claim Rejections Pursuant to 35 U.S.C 101

The Examiner rejected claims 1 to 4, 8, and 21 to 23 pursuant to 35 U.S.C 101 because “the independent claims fail to meet the machine-or –transformation test.” Independent claims 1 and 21, and claims dependent therefrom, are allowable because claims 1 and 21 have been amended to include the limitations of dependent claims 27 and 25 respectively which were indicated to be allowable. Reconsideration and withdrawal of the rejection is requested.

III. Claim Rejections Pursuant to 35 U.S.C 112

The Examiner rejected claims 28 to 30 pursuant to 35 U.S.C 112 as indefinite. Dependent claims 28 and 30 have been amended to correct the item cited by the Examiner. Claim 29 has been cancelled because the subject matter of claim 29 has been inserted in to independent claim 10. Reconsideration and withdrawal of the rejection is requested.

IV. Claim Rejections Pursuant to 35 U.S.C 103

The Examiner rejected claims 1 to 4, 8, 10 to 13, 17, 21 to 24 and 26 pursuant to 35 U.S.C 103(a) as unpatentable over Mack (the Background section of the present application). Independent claims 1, 10, and 21, and claims dependent therefrom, are allowable because they have been amended to include the subject matter of dependent claims 27, 29, and 25 respectively which were indicated to be allowable. Reconsideration and withdrawal of the rejection is requested.

IV. Allowable Subject Matter

The Examiner objected to claims 25, 27, and 29-30 as depending from a rejected base claim and indicated that they would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

Independent claim 1 has been amended to include the subject matter of dependent claim 27, there were no intervening claims. Dependent claim 27 has been cancelled. Allowance of independent claim 1, and claims depending therefrom, is requested.

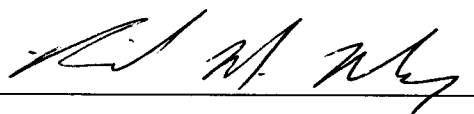
Independent claim 10 has been amended to include the subject matter of dependent claim 29, there were no intervening claims. Dependent claim 29 has been cancelled. Claim 30 now depends from independent claim 10. Allowance of independent claim 10, and claims depending therefrom, is requested.

Independent claim 21 has been amended to include the subject matter of dependent claim 25, there were no intervening claims. Dependent claim 25 has been cancelled. Allowance of independent claim 21, and claims depending therefrom, is requested.

V. Conclusion

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, Applicant's undersigned attorney requests that the Examiner initiate a telephone interview to expedite prosecution of the application. If there are any fees resulting from this communication, please charge same to our Deposit Account No. 50-3915.

Respectfully submitted,



Richard M. Mescher
Reg. No. 38,242

PORTER, WRIGHT, MORRIS & ARTHUR LLP
41 South High Street
Columbus, Ohio 43215
(614) 227-2026
Fax: (614) 227-2100

January 12, 2010